UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,098	01/14/2002	Andrew Lewis Schirmer	23452-502	6733

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ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _10 August 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-5,7-10,13-16 and 19-22_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-5,7-10,13-16 and 19-22_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _14 January 2002_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is response to Applicants' Amendment filed 08/10/2004.

2.   Claims 6, 11-12, 17-18 and 23-24 are cancelled.

3.   Claims 1-5, 7-10, 13-16, and 19-22 are pending in this Application.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

6.   Claims 1-5, 7-10, 13-16 and 19-22 are rejected under 35 U.S.C. 103(a) as being

unpatentable over US Patent No. 6,169,986 issued to Bowman et al. (hereinafter

Bowman) in view of US Patent No. 6,012,053 issued to Pant et al. (hereinafter Pant),

and further in view of US Patent No. 6,748,376 issued to Beall et al. (hereinafter Beall).

With respect to claim 1, Bowman teaches presenting a graphical user interface to

a user (a graphical user interface presenting to users from which who can enter the

search query and users enable to refine the search query: see fig. 2, col. 6, lines 7-30;

also see col. 3, lines 52-60 and col. 4, lines 32-52 and abstract);

enabling a user to selectively input search parameters into a first search query

using the graphical user interface (see fig. 2, the user is enabling to select the search

parameters such as author, title, subject, ISBN), and date);

receiving the search query (see fig. 2, the search query is received via the entry

box);

searching at least one database for objects that satisfy the search query

(bibliographic database to be searched: col. 5, lines 40-52; also see col. 3, lines 15-22);

determining whether at least one object stored in the database satisfies the

search query (see fig.2 and fig. 1, item 133, bibliographic database storing information

of titles, authors, publishers, subjects description and ISBNs: col. 5, lines 40-52);

determining at least one search refinement option based on the type of

information determined (refining search queries for reflecting the user's intended

request: col. 4, lines 32-67 and col. 5, lines 1-6; also see col. 1, lines 35-67).

Bowman teaches a method or system of facilitating the refinement of search queries, receiving a search query from a user submitting via GUI as shown in fig. 2, identifying the refined search queries (col. 3, lines 52-60), display the search result as shown in fig. 3, from GUL search screen, user is enabling to select or pick some search parameters such as titles, author, publisher or ISBN. Bowman does not clearly teaches parameters of the user input interface, retrieving a search result comprising the at least one object if a determination is made that the at least one object satisfies the search query, and determining a type of information included in the at least one object. And further Pant teaches there are several parameters of the user input interface to vary the relevance factors from which the user may manipulate them (col. 8, lines 12-36), the search result from the searching or retrieving is provided to the user (see abstract, figs. 7-9 , and col. 13, lines 8-32) and type of information is based on the selected object, see fig. 5, col. 8, lines 62-67 and col. 9, lines 1-8). In combination, Bowman and Pant also do not clearly teach the type of information of search and the second search query comprising the at least one search refinement option.

However, Beall teaches after the first search, the logic box of 124 in fig. 2(b) checking the number of hits then refining the search query with a list of categories to be displayed for user to select after that, the second search will begin (see figs. 2(b), 3 and 4 and col. 6, lines 20-67 and col. 7, lines 1-43).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman in view of Pant with the teachings of Beall, wherein search refinement option via drop down menu

provided therein (Bowman's col. 14, lines 2-8 and Pant's fig. 6, item 322) would

incorporate the user of selection of category to refine search query from a list of

categories via user interface by the users, the same conventional manner as disclosed

by Beal (col. 6, lines 20-62). The motivation being to narrow down the search results to

the target of user interest.

With respect to claim 2, Bowman teaches the step of: presenting the at least one

search refinement option to the user (the process of refining of the search query: see

figs 2 and col. 3, lines 7-60, col. 4, lines 32-67 and col. 5, lines 1-6).

With respect to claim 3, Bowman teaches wherein the at least one search

refinement option is presented in a drop-down menu (drop-down menu: see fig 8, col.

14, lines 2-8; also see Pant's figs 5 and 6, and item 322, col. 9, lines 8-16).

With respect to claim 4, Bowman teaches the step of enabling the user to select

the at least one search refinement option (see fig. 2 and col.4, lines 32-67 and col. 5,

lines 1-6; also col. 1, lines 35-67).

With respect to claim 5, Bowman teaches the step of enabling the user to input a

second search query comprising the at least one search refinement option (a plurality of

refined search queries, a search query refinement and a initializing refined search

query: col. 3, lines 52-60).

Claim 7 is essentially the same as claim 1 except that it is directed to a system

rather than a method, and is rejected for the same reason as applied to the claim 1

hereinabove.

Claim 8 is essentially the same as claim 2 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 2 hereinabove.

Claim 9 is essentially the same as claim 3 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 3 hereinabove.

Claim 10 is essentially the same as claim 4 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 4 hereinabove.

With respect to claim 13, Bowman teaches a presenting module that presents a graphical user interface to a user (a graphical user interface presenting to users from which who can enter the search query and users enable to refine the search query: see fig. 2, col. 6, lines 7-30; also see col. 3, lines 52-60 and col. 4, lines 32-52 and abstract);

a search parameter inputting module that enables a user to selectively input search parameters into a first search query using the graphical user interface (see fig. 2, the user is enabling to select the search parameters such as author, title, subject, ISBN), and date);

a receiving module that receives the search query (see fig. 2, the search query is received via the entry box);

a searching module that searches at least one database for objects that satisfy the search query (bibliographic database to be searched: col. 5, lines 40-52; also see col. 3, lines 15-22);

a search query module that determines whether at least one object stored in the

database satisfies the search query (see fig.2 and fig. 1, item 133, bibliographic

database storing information of titles, authors, publishers, subjects description and

ISBNs: col. 5, lines 40-52);

a search query module that determines at least one search refinement option

based on the type of information determined (refining search queries for reflecting the

user's intended request: col. 4, lines 32-67 and col. 5, lines 1-6; also see col. 1, lines

35-67).

Bowman teaches a method or system of facilitating the refinement of search

queries, receiving a search query from a user submitting via GUI as shown in fig. 2,

identifying the refined search queries (col. 3, lines 52-60), display the search result as

shown in fig. 3, from GUL search screen, user is enabling to select or pick some search

parameters such as titles, author, publisher or ISBN. Bowman does not clearly teaches

parameters of the user input interface, a retrieving modules that retrieves a search

result comprising the at least one object if a determination is made that the at least one

object satisfies the search query, and a search query module that determines a type of

information included in the at least one object. And further Pant teaches there are

several parameters of the user input interface to vary the relevance factors from which

the user may manipulate them (col. 8, lines 12-36), the search result from the searching

or retrieving is provided to the user (see abstract, figs. 7-9, and col. 13, lines 8-32) and

type of information is based on the selected object, see fig. 5, col. 8, lines 62-67 and

col. 9, lines 1-8). In combination, Bowman and Pant also do not clearly teach the user

input a second search query comprising the at least one search refinement option that searches the first search result for objects that satisfy the second query comprising the at least one search refinement option.

However, Beall teaches after the first search, the logic box of 124 in fig. 2(b) checking the number of hits then refining the search query with a list of categories to be displayed for user to select after that, the second search will begin (see figs. 2(b), 3 and 4 and col. 6, lines 20-67 and col. 7, lines 1-43).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman in view of Pant with the teachings of Beall, wherein search refinement option via drop down menu provided therein (Bowman's col. 14, lines 2-8 and Pant's fig. 6, item 322) would incorporate the user of selection of category to refine search query from a list of categories via user interface by the users, the same conventional manner as disclosed by Beal (col. 6, lines 20-62). The motivation being to narrow down the search results to the target of user interest.

With respect to claim 14, Bowman teaches the step of: presenting the at least one search refinement option to the user (the process of refining of the search query: see figs 2 and col. 3, lines 7-60, col. 4, lines 32-67 and col. 5, lines 1-6).

With respect to claim 15, Bowman teaches wherein the at least one search refinement option is presented in a drop-down menu (drop-down menu: see fig 8, col. 14, lines 2-8; also see Pant's figs 5 and 6, and item 322, col. 9, lines 8-16).

With respect to claim 16, Bowman teaches the step of enabling the user to select

the at least one search refinement option (see fig. 2 and col.4, lines 32-67 and col. 5,

lines 1-6; also col. 1, lines 35-67).

Claim 19 is essentially the same as claim 1 except that it is directed to a

computer-readable medium rather than a method, and is rejected for the same reason

as applied to the claim 1 hereinabove.

Claim 20 is essentially the same as claim 2 except that it is directed to a

processor-readable medium rather than a method, and is rejected for the same reason

as applied to the claim 2 hereinabove.

Claim 21 is essentially the same as claim 3 except that it is directed to a

processor-readable medium rather than a method, and is rejected for the same reason

as applied to the claim 3 hereinabove.

Claim 22 is essentially the same as claim 4 except that it is directed to a

processor-readable medium rather than a method, and is rejected for the same reason

as applied to the claim 4 hereinabove.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or

via E-Mail: ANH.LY@USPTO.GOV **or fax to (571) 273-4039**. The examiner can

normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene, can be reached on (571) 272-4107 or Primary Examiner Jean

Corrielus (571) 272-4032.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: Central Fax Center (703) 872-9306

JEAN M. CORRIELUS
PRIMARY EXAMINER

ANH LY
JAN. 12th, 2005